

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Michael Cafaro, et al.

Group Art Unit: 3732

Serial No.: 10/821,109

Examiner: Manahan, T

Filed: April 8, 2004

Atty. Dkt. No.: HEL177/78001/CIP/TSCO

For: ION CURLING IRON AND  
STRAIGHTENER

**DECLARATION UNDER 37 C.F.R. 1.131**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Gary Koenemann, declare the following:

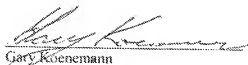
1. I am one of the joint inventors of all claims in U. S. Patent Application Serial No. 10/821,109 identified above. I, along with Michael Cafaro and Rick Placencia are the only inventors of all subject matter described in this application.
2. Prior to November 5, 2003, the publication date of the Endo et. al. reference, (Japanese Patent No. 2003310339), we had conceived and tested the claimed subject matter in the application identified above, in this country, as evidenced by the invention disclosure attached hereto as Exhibit A. This invention disclosure was written prior to November 5, 2003 and thus predates the publication of the Endo reference.

3. Prior to October 8, 2003, the filing date of the Yuen et. al. reference, (United States Patent Publication No. 2005/0076930), we had conceived and tested the claimed subject matter in the application identified above, as evidenced by the invention disclosure attached hereto as Exhibit A. This invention disclosure was written prior to November 5, 2003 and thus predates the filing of the Yuen reference.

4. The invention disclosure supports prior invention. It contains the drawings that embody the design of the ion curling iron and flattener. These drawings are substantially identical to the drawings submitted with this application. This disclosure also contains a description of the invention of "a hair styling curling iron and flat straightener with fast heat-up performance which also generates negative ion airflow." It goes on to describe the manner in which this invention is achieved. This disclosure was sent from within the United States and received within the United States prior to October 8, 2003.

5. I declare that all statements made above of my own knowledge are true, and that all statements made on the information I believe to be true. Further, I declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issued thereupon.

Signature:

  
Gary Koenemann

Date

4-16-07

## Ion Hair Styling Curling Iron and Flat Straightener

A hair styling curling iron and flat straightener with fast heat-up performance which also generates negative ion airflow. The negative ion airflow system includes an ion generator whose output is coupled between positive and negative electrode arrays. Preferably, the positive electrode array is pointed electrodes and the negative electrode array includes annular-like electrodes having a central opening coaxial with the associated pointed electrode. Preferably, the annular-like electrodes are formed from a single sheet of metal by extrusion or punching such that the surface of the annular-like electrodes is smooth and continuous through the opening through which the airflows. The negative ion system further includes a small DC motor with a fan that creates airflow to safely push the negative ions out the curling iron barrel or the flat plates of the straightener via small openings and safely onto the users' hair.

The hair styling curling iron also incorporates a unique feature through its flipper/tong design. This flipper/tong design incorporates the flipper/tong within the handle, eliminating the previous cumbersome and bulky thumb grip design. This new flipper/tong design will prevent the user from having to extend their fingers and thumb in order to have to actuate the flipper. It will also prevent the user from burning their fingers and thumb on previous design.

